(c) and (d) In R.K. Sabharwal's case the Supreme Court has held that reservation of jobs should be related to posts and not to vacancies. In the cases of Virpal Singh Chauhan and Ajit singh No. I, the Supreme Court held that accelerated promotion due to rule of reservation/roster does not carry with it accelerated consequential seniority. Hence, as and when the senior General/ OBC employee is able to catch up with the junior SC/ST employee in the immediate higher grade, the former regains his original seniority over the latter. In Ajit Singh II, the Constitution Bench of the Supreme Court declared that above case, have been correctly decided and further held that it is axiomatic in service jurisprudence that any promotions made wrongly in excess of any quota are to be treated as *ad hoc*. This applies to reservation quota as much as it applies to direct recruits and promotee cases. Thus, while promotion in excess of roster made before 10.2.1995 are protected, such promotees cannot claim seniority.

(e) The review petitions filed against the judgement of the Constitution Bench in Ajit Singh II have been dismissed on merits by the Five Judge Bench of the Supreme Court on 8.12.1999.

Abolition of practice of manual scavenging

3044. SHRI BHAGATRAM MANHAR: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether despite the existence of National Commission for Safai Karamcharis the practice of manual scavenging is still continuing the States like Rajasthan, Gujarat, etc.;

(b) whether Government are aware of recent T.V. report (Star News) highlighting manual scavenging in Gujarat;

(c) the steps Government propose to take to abolish manual scavenging; and

(d) whether Government propose to empower NCSK with executive/legal powers for effective functioning?

THE MINISTER OF STATE OF THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRIMATI MANEKA GANDHI): (a) to (c) The National Commission for Safai Karamcharis has reported about existence of manual scavenging in certain parts of the country in its reports. The National Scheme of Liberation and Rehabilitation of Scavengers and their dependents is being implemented since 1992-93 with a view to provide training to

scavengers and assistance for their subsequent rehabilitation in other alternative occupations. The Scheme is being implemented through State Scheduled Castes Development Corporations. Setting up of 'Sanitary Marts' has been taken up for organizing the scavengers into groups, which will manage the mart and take up conversion of dry latrines to wet latrines and sale of various sanitary goods.

(d) The National Commission for Safai Karamcharis has been given power under the National Commission for Safai Karamcharis Act, 1993.

Inclusion of dalit Christians in SC list

3045. SHRI GHULAM NABI AZAD: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether Government are considering to include Dalit Christians in SC list;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRIMATI MANEKA GANDHI): (a) and (b) Proposal for inclusion of Dalit Christians in the list of Scheduled Caste is being processed in accordance with modalities laid down in this regard. No time frame can be assigned, as it involves consultation with a number of agencies.

(c) Does not arise.

Effect of privatisation of PSUs on SC/ST employees

3046. SHRI SUKHDEV SINGH LIBRA: Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

(a) whether Governments decision to privatize some of their undertakings/ corporations is likely to affect the persons belonging to SC/ST as their new employees may not retain them;

(b) if so, what precautionary steps have been taken to safeguard the interest of SC/ST employees; and

(c) the prospects of further recruitment and promotion avenues to SCs/STs in such undertakings?